WHY HAVE JURIES? ASK ENO CASE MEN

Write Letter to Surrogate Foley Protesting Against

Third Trial.

THEIR STAND DEFENDED

Only Incapacity of Testator Could Be Deduced From Evidence, They Contend.

Eight jurors of the twelve that sat in the Eno will case before Surrogate James A. Foley wrote in earnest protest to the Surrogate yesterday against his reversal of their verdict upsetting the will on the score of Mr. Eno's un sound mind at the time the documen

Pointing out that their jury decided as the 1915 jury had decided-which verdict was also set aside by the Surrogate-the eight protestants assume that the court may throw out the jury verdict in a third trial. They ask Surrogate Foley what is the use of juries if this sort of thing is to occur.

The eight that signed the letter are

Louis T. Ferkins, Henry Nichols, Harry D. Nierenberg, Raymond L. Montgomery, Joseph M. McGrann, James Forster, G. A. Boeckel and John J. Garvey. After expressing surprise that, in his opinion, the Surrogate referred to the Eno jury the Surrogate referred to the Eno jury as "easily influenced by sympathy or prejudice," and "materially affected by extraneous arguments" after taking occasion in his charge to praise the jury for the patience and attention it displayed for six weeks in hearing the evidence, and after informing the Surrogate that they had tried honestly to give a verdict which was fair, unbiased and in accordance with the law and the facts, the eight went into details.

As to ethics of the matter they say:
"Whether the right of trial by jury should extend to will cases is not an issue which we want to discuss with your Honor. We happen to believe in trial by jury. But this letter is to say, that in our opinion the evidence produced in this case, and the law as late and the law as late.

Werner, who was formerly employed by the Brunen as a cook for his circus winters ing at Williamstown, was found in New York. Werner, who was sought on reported the purple of the damade threats that he would "get Brunen" for having been dismissed from employment, furnished an alibi which satisfied the detectives.

In spite of this, however, Werner probably will be brought to Mount Holly to be questioned for possible light he may shed on the case, as he knew many of Brunen's business associates and other may shed on the case, as he knew many of Brunen's business associates and other may she would "get Brunen" for having been dism

trial by jury. But this letter is to say, that in our opinion the evidence pro-duced in this case and the law as laid

down by yourself permitted no verdict except the verdict of incapacity."

Thereafter Mr. Perkins and his associates, in the protest at upsetting the decision which took away from Columbia University and gave to Amos Pinchot and other kin of Mr. Eno millions of dollars, recite their specific reasons for deciding that Mr. Eno was not competent to make a new will

"1.—Burden of the proof was on

WOULD END HOTEL TIPPING, **NOW BASED ON PRETTINESS**

Consumers League Finds Chambermaids Win Gratuities by Bright Faces, Not Service, and That Plain, Elderly Ones Are Slighted.

Reversal.

WILL IS VOIDED TWICE

WILL IS VOIDED TWICE

They Suppose Verdict May

Be Set Aside Again at

This the pretty hotel chambermaid who gets the tips to the exclusion of the ciderly or plain faced servant who may need the fee much more than her comely sister. This complaint is made by the Consumers League, which has been looking into the tip question again and which summarizes its discoveries in a Hotel." The league finds that all that hote; patrons get up courage to stop tipping. Speaking of chambermands further, that a minimum wage law for women be passed in this application.

Murdered Circus Man. Found

in New York.

Special Dispatch to THE NEW YORK HERALD

The only other outstanding develop-

maids—the pretty ones—the league reports:

"It is pleasing appearance and manner rather than service which brings in tips. The advice given by experienced maids to the workers who were making the study for the Consumers League was: Fix yourself up and don't be bashful. The ones who get the tips are those who stick around, sass 'em back and make 'em notice you.' Tips do not increase with efficiency in service and neither do wages. Board and lodging is all a chambermaid can expect.

"The Consumers League found it very difficult to get accurate estimates as to average weekly tips, because the

DRYS WANT U.S. BAN SUSPECT IN BRUNEN ON SPAIN'S EXPORTS CASE PROVES ALIBI

Gus Werner, Former Cook of Demand Aid for Senate Resolution to Keep Alcohol From Iceland.

New York Herald Bureau, Washington, D. C., March 12. Stionists have started a cam-

RIVERSIDE, N. J., March 12 .- An imthe mysterious slaying of John Theodore paign against the buying of Spanish ex-Brunen, circus and theatrical man, who ports in this country because, they say, was killed while reading a newspaper in Spain is seeking to force prohibition Icehis home on New Jersey evenue Friday land to buy its alcohol. In other words, night, was dissipated to-day when Gus they want the American people to get Werner, who was formerly employed by Werner, who was formerly employed by behind a resolution of protest offered Brunen as a cook for his circus winter- in the Senate by Senator Jones in which

York. Werner, who was sought on reports that once he had made threats that he would "get Brunen" for having been dismissed from employment, furnished an alibi which satisfied the detectives.

In spite of this, however, Werner probably will be brought to Mount Holly to be questioned for possible light he

uel Gompers for the labor chief's work against the passing of the prohibition

After recounting what it asserts to be a fact that a small group of men pro-fessing to represent American organized labor have issued a series of "bald, un-

Opened a New Mission.

The Mort Rev. Patrick J. Hayes, Archibehof, State Forestry Commissioner, to-night amounced his candidacy for the Republican nomination for Chenket, State Forestry Commissioner, the Republican nomination for Governor at the May primaries.

He announced his decision to run in a latter addressed to a group of men and tady Mair Mackensile.

At the motor with the driver and Kravitz were Eithel Finkelman, 19. also of Philadelphia; he would care to present an unclean play would care to present an unclean

WISE WARNS STAGE TO CHANGE POLICY

Rabbi Says Censorship Must Come if There Isn't a Housecleaning.

ATTACKS A. H. WOODS

Tells How He Warned Manager He Would Discredit Jews.

NOT A JEWISH QUESTION

Says It's Unfair to Blame a Race: Cites the Finer Things of the Theatre.

Rabbi Stephen S. Wise delivered an address on "The Truth About the Theater" yesterday afternoon before the Free Synagogue in Carnegie Hall, in which he declared that the theater to-day "is driving us into State control, and State control means censorship, bad as it is." Dr. Wise declared that he did not wish to attack the theater or the players, but to deal with the theater as an acute moral problem, which he declared it had

"Either the theater will be reformed from within, that is to say by authors, producers and players and ourselves," said Dr. Wise, "or it will be reformed from without, despite all the evils which outward revision or reformation will be found to entail. Censoriship will come as it ought to come unless a great and instant change comes over the spirit of those that control the theater and over us who give it said Dr. Wise, "or it will be reformed life and sustenance.

"Censorship would be undesirable, but if 'Demi-Virgins' and 'Crossing the Rubicons' cannot be put out of Broadway theaters in any other way, then I open for one shall welcome censorship, and ter. for one shall welcome censorship, and work for censorship, and do what in me lies to make censorship inovitable. Censorship, it is true, may do no more than drive dirty and salacious plays under cover or under ground, which is exactly what ought to happen to them.

The Way of the Saloon.

The control of the co "Let them be bravely repressed and driven into the dark, festering corners of vice, if they cannot wholly be suppressed. Prohibition came in part, as it ought to have come, because distillers and browers insisted upon the involable rights of the saloon. The theaters will fare as diff the saloon if the same policy of madness, tempered by malignity prevails in the councils of the theater."

Dr. Wise declared that he was not bigoted in enmity against the stage and its people, but that he was rather a friend and a patron of the theater. He was not concerned, he said, either with unreasoning attacks on the stage or on the defamers of the stage of the deramers of the stage by its defenders. Dr. John Roach Straton he characterized as an honest man, though not wholly fair and reasonable in his attitude toward the problem of the theater. "The theater," said Dr. Wise, "is and will continue to be. The theater is more than a pastime or a luxury—it is a highly important national institution, which may become either a liability or arasee, it if merely a pastme, as is baseball, it would be enormously important for the greatest number of American apeople are accessible to it. Whatever the present day status of the theater is more than a pastime or a luxury—it is a highly important national institution, which may become either a liability or arasee, if merely a pastme, as is baseball, it would be enormously important for the greatest number of American apeople are accessible to it. Whatever the present day status of the theater is more than a pastime or a luxury—it is a highly important national institution, which may become either a liability or arasee, if merely a pastme, as is baseball, it would be enormously important for the greatest number of American appeals are accessfule to it. Whatever the present day status of the theater is may be, this is no more to be the last world of the drama than ta fazz music to replace Beethoven and Bach, Schubert and Brahms.

The Jewish Angle.

The Jewish Angle.

The Jewish Angle.

The prin "Let them be bravely repressed and

New York Dollar Is Up 25 P. C. from a Year Ago

special Disputch to THE NEW YORK HIMALL

New York Herald Bureau.)
Washington, D. C., March 12.

Residents of New York are
25 per cent, richer than a
year ago. The dollar buys one-quarter more in the biggest city now than it did at the begin-

ning of 1921, reports to the Department of Labor show.

Compared with the pre-war dellar, the unit base of American currency is now worth 56% cents. A year ago it had a comparative value of less than 45 cents. The increase is due to a general decline in prices. As prices decline the dollar gets fatter, taking on more weight or value in purchasing power. In New York the dollar does not

In New York the dollar does not yet go as far as the same amount of currency throughout the United States as a whole. Taking the country generally, the dollar is worth about 60 cents compared with its pre-war counterpart.

The moral censorship, the duty of which rests upon all of us, lies in a very special way on the few, the fashionable, the leisurely, the well circumstanced, the privileged, who are the arbiters in rs of taste.

matters of taste.

"The press can help most decisively. It can tell the truth as it, for the most part, tells the truth in its critical reviews of the theater. But, instead of being terriorized by the revolver of those "Come what may," said Mr. Gompe being terriorized by the revolver of these theatrical producers who will not advertise unless they are generously treated in the columns of criticism, the press ought to refuse to publish advertisements of plays which its reviewers have the decency to damn as indecent. The theater must be reformed from within and from without; from within by those who should cherish it as a high trust, from without by us who would rise to the level of that opportunity which the drama at its best and finest offers to men and women on either side offers to men and women on either side of the footlights."

YOSEMITE IS LINKED TO WORLD BY WIRELESS Valley Folk Get News and Music From Aerials on Trees.

the theater and over us who give it that announcement has been authorized that wireless henceforth will be a permanent method of communication with the popular resort, though it may not be open for commercial use until next win-

> Edwin J. Symmes of Alameda put in Edwin J. Symmes of Alameda put the first wireless set for his own amusement and has received messages from several score damped and undamped wave stations, including Honolulu and Catalina Island. Government authorities also have put in a station, which will be used to keep in touch with the cutside world when State wide storms

GOMPERS IS BACKING TEXTILE STRIKERS

Pledges Aid of American Federation of Labor to New England Workers.

SPEAKS TO THOUSANDS

Condemns Mill Owners for Efforts to Reduce Pay and Extend Work Hours.

PROVIDENCE, March 12.-The American Federation of Labor will stand firmly behind the textile strikers of New England in their fight against wage reductions and increased working hours Samuel Compers, president of the federation, declared here to-night, addressing a meeting of several thousand persons at a theater.

Speaking to 3,000 in Pawtucket in the afternoon, Mr. Gompers, who is touring the textile areas of New England where strikes are in progress, gave a similar

"the United Textile Workers of America can count on the American Federation of Labor to stand behind them to the fullest extent of its power, and the American Federation has a membership of 5,000,000. These members, with their States. The American Federation of Labor will exert every effort ungrudg-ingly, cordially and enthusiastically to help the textile strikers to at least get bread during their struggle

The labor leader declared that textile workers knew, if few others did, that about a year ago wages in this industry were cut 221% per cent. They knew that

"Men and women of the laboring class who accept every kick that is given them are treated as yellow curs are treated, declared Mr. Gompers. "I have read that the manager of one

of the mills in Rhode Island said the State must protect its industries," he continued. "I was always under the impression the paramount duty of the State was to protect its people. The womanhood and childhood of the coun-

try demand protection.

"Mill owners say that under existing conditions it is impossible for them to compete with the mills of the South. Much already has been said in reply to

OF PROVIDENCE, R. I.

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The Coward Arch Support shoe is especially designed to allow the young feet to grow in Nature's way. The arch is carefully supported, the weight of the body evenly distributed and the foot so placed that the bones and muscles find natural

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